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Laura Lee Mosier

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AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

INGEMAR H. LUNDQUIST et al.

Serial No.: 09/553,738

Filing Date: April 20, 2000

Title: TREATMENT DEVICE WITH
GUIDABLE NEEDLE

Art Unit: 3763

Examiner: M. Thompson

Date: May 7, 2001

AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This Amendment is in response to the Office Action mailed December 28, 2000.

REMARKS

Claims 14-30 have been rejected under 35 U.S.C. §102(e) as being anticipated by Desai. (U.S. Patent No. 5,861,002). In this regard, the Examiner states that Desai '002 discloses a treatment device assembly for an endoscopic surgical instrument comprising a needle/electrode, a means for guiding the needle/electrode, a control structure means for extending and retracting the needle/electrode, a means for interlocking said assembly to a housing, a means for deflecting the needle/electrode at an angle from the primary axis, a means for guiding having a bendable sheath, having a wire, first and second ends, means for tensioning said wire, means for deflecting in a curved end, means for supplying radio frequency energy, and a laser fiber optic disposed in the axial lumen of a needle.

Desai '002 states on its face that it is a continuation-in-part of Ser. No. 259,712, June 14, 1994, Pat. No. 5,562,703, which is a continuation-in-part of Ser. No. 25,003, Mar. 2, 1993, abandoned, which is a continuation-in-part of Ser. No. 779,108, Oct. 18, 1991, Pat. No. 5,322,503. The language cited by the Examiner was not contained in Serial No. 25,003 filed